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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,973	09/29/2006	Hideaki Mukaida	063113	8181
38834 7590 04/14/2009 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
TO, BAOQUOC N				
ART UNIT		PAPER NUMBER		
2162				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/594,973

Applicant(s)

MUKAIDA ET AL.

Examiner

BAOQUOC N. TO

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

1. Claims 1-20 are pending in this application.

Claims 11-20 are being withdrawn.

Claims 1-10 were being examined.

Response to Arguments

2. Applicant's arguments filed 12/24/2009 have been fully considered but they are not persuasive.

Applicant argues "specifically, Takahashi only describes, in col. 5, lines 56-63, a general explanation of the FAT system and it is not related to the feature of the present claimed invention. Takaliashi teaches which area the main information is recorded on the Takahashi is different from the present claimed invention in the method of recording the directory for controlling the location of the main information (please see col. 6, lines 9-40 of Takahashi)."

Examiner respectfully disagrees with the above argument. Takahashi discloses the FAT is the one to store the information and the file is stored separately from the FAT. Such disclosure read on the claimed limitation (col. 5, lines 56-63).

Claims 2-6 are depended on claim 1; therefore, claims 2-6 are rejected under same reason.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. (US. Patent No. 6,952,522 B2).

As to claim 1, Takahashi discloses an information recording method which is a file system managing files hierarchically by files having information and a directory which is a storage place of a plurality of files, wherein a file system which writes in and reads from a recording medium per predetermined unit is used, and predetermined information is first recorded in a work sector before performing primary recording as well as the number of mountings of the file system is further recorded in the work sector (the location and attributes such as the number, the recording data & time and the file name of each file on the disc are controlled by referencing the FAT 11. The FAT 11 is used for controlling the information on files in smallest access units, typically sector units, used by the system, that is, the signal recording/playback apparatus for making an access to disc...) (col. 5, lines 56-63).

As to claim 2, Takahashi discloses the information recording method according to claim 1, wherein the work sector comprises two sectors, and wherein the number of mountings is recorded in a first sector, and information contents to be recorded are recorded in a second sector (program 1 is recorded by splitting the data into 3 segments forming a pattern along a straight line..) (col. 5, lines 66 to col. 6, lines 1-3).

As to claim 3, Takahashi discloses the information recording method according to claim 2, wherein the work sector is located in a work sector area having a plurality of sectors, and the work sector is determined when the file system is mounted (disc is mounted...) (col. 5, line 50).

As to claim 4, Takahashi discloses the information recording method according to claim 3, wherein the predetermined information is information about a directory (file system) (col. 6, line 13).

As to claim 5, Takahashi discloses the information recording method according to claim 4, wherein the file system is a FAT file system (FAT) (col. 5, line 55).

As to claim 6, Takahashi discloses a device for recording and/or reproducing information, wherein the information recording method according to any one of claims 1 (recording/playback apparatus) (col. 5, lines 50-54), 2, 3, 4 or 5 is used.

As to claim 7, Takahashi discloses an information recording method which is a file system managing files hierarchically by files having information and a directory which is a storage place of a plurality of files, wherein a file system which writes in and reads from a recording medium per predetermined unit is used, and information about the directory is written in the predetermined unit a plurality of times such that the

plurality of the information about the directory written in the predetermined unit are separated from each other by a predetermined offset (an additional signal is not split into segments to be each recorded into a free area with a length smaller than a predetermined value, typically a equivalent of 1-minute recoding/play back length) (col. 5, lines 36-39).

As to claim 8, Takahashi discloses the information recording method according to claim 7, wherein the file system is a FAT file system (FAT, file allocation table) (col. 5, line 55).

As to claim 9, Takahashi discloses the information recording method according to claim 7, wherein the predetermined offset is half of the predetermined unit, and the information about the directory is doubly written (an additional signal is not split into segments to be each recorded into a free area with a length smaller than a predetermined value, typically a equivalent of 1-minute recoding/play back length) (col. 5, lines 36-39).

As to claim 10, Takahashi discloses a device for recording and/or reproducing information, wherein the information recording method according to any one of claims 7 (recording/playback apparatus) (col. 5, lines 50-51), 8 or 9 is used.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041, or unofficial fax number for the purpose of discussion (571) 273-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

Art Unit: 2162

(571) 273-8300 [Official Communication]

/Baoquoc N To/

Primary Examiner, Art Unit 2162